

Serial No. 10/076,514

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APPENDIX I:

CLAIM AMENDMENTS:

Cancel Claims 5, 8, 17 and 20, and enter new Claims 23 to 26, as indicated in the following listing of the claims:

1. (previously presented) A choline ascorbate in form of crystals and having diffraction lines at $d = 3.80 \text{ \AA}$ and 4.55 \AA which are most intense in a range between 3.40 and 4.70 \AA in a 2θ X-ray powder diffractogram.
2. (previously presented) A choline ascorbate in form of crystals, wherein the crystals are free from water of crystallization.
3. (canceled)
4. (previously presented) The choline ascorbate crystals as claimed in claim 1, having an intensity ratio of the diffraction lines at $d = 3.80 \text{ \AA}$ and $d = 4.55 \text{ \AA}$ of at least 0.5.
5. (canceled)
6. (previously presented) A process for preparing choline ascorbate in form of crystals having diffraction lines at $d = 3.80 \text{ \AA}$ and 4.55 \AA which are most intense in a range between 3.40 and 4.70 \AA in a 2θ X-ray powder diffractogram, which comprises reacting ascorbic acid with triethylamine and ethylene oxide, and carrying out the reaction in a temperature range from -10°C to 40°C .
7. (previously presented) The process of claim 6, which is carried out in a water-miscible organic solvent.
8. and 9. (canceled)
10. (previously presented) Drugs comprising the choline ascorbate claimed in claim 1.
11. (previously presented) Additives in foods, additives in animal feeds or food supplements comprising the choline ascorbate claimed in claim 1.
12. (previously presented) The process of claim 6, wherein ascorbic acid is reacted with triethylamine and ethylene oxide by adding ethylene oxide to a mixture comprising the ascorbic acid and the triethylamine.

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13. (previously presented) The process of claim 12, wherein gaseous ethylene oxide is added to the mixture comprising the ascorbic acid and the triethylamine.
14. (previously presented) A choline ascorbate in form of anhydrous crystals having a melting point from 123.5 to 124.4°C or in the range from 123.5 to 124.4°C.
15. (previously presented) The choline ascorbate crystals as claimed in claim 2, having diffraction lines at $d = 3.80 \text{ \AA}$ and 4.55 \AA which are most intense in a range between 3.40 and 4.70 \AA in a 2θ X-ray powder diffractogram.
16. (previously presented) The choline ascorbate crystals as claimed in claim 2, having diffraction lines at $d = 3.80 \text{ \AA}$ and $d = 4.55 \text{ \AA}$ which have an intensity ratio of at least 0.5.
17. (canceled)
18. (previously presented) A process for preparing the choline ascorbate defined in claim 2, which comprises reacting ascorbic acid with triethylamine and ethylene oxide, and carrying out the reaction in a temperature range from -10°C to 40°C .
19. (previously presented) The process of claim 18, which is carried out in a water-miscible organic solvent.
20. (canceled)
21. (previously presented) A drug comprising the choline ascorbate crystals defined in claim 2.
22. (previously presented) An additive in foods or in animal feeds or a food supplement comprising the choline ascorbate crystals defined in claim 2.
23. (new) A process for preparing choline ascorbate, wherein the choline ascorbate is obtained in form of anhydrous crystals having diffraction lines at $d = 3.80 \text{ \AA}$ and 4.55 \AA which are most intense in a range between 3.40 and 4.70 \AA in a 2θ X-ray powder diffractogram and having a melting point from 123.5 to 124.4°C or in the range from 123.5 to 124.4°C, which process comprises
 - a) providing a mixture of ascorbic acid, triethylamine and a solvent,
 - b) adding to the mixture gaseous ethylene oxide, and

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c) crystallizing the choline ascorbate, wherein stages (a) and (b) are carried out at a temperature of from -10°C to 40°C, and the solvent is a water miscible organic solvent or is a mixture of said organic solvent and water.

24. (new) The process of Claim 23, wherein the solvent is a water miscible organic solvent.
25. (new) The process of Claim 23, wherein the choline ascorbate is crystallized from the solvent employed in stage (a).
26. (new) The choline ascorbate obtained by the process of claim 23.